

"Express Mail" mailing label number EL 697 345 621 US I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on 2-12-01

By: Nancy Ramos

Printed: Nancy Ramos

jc986 U.S. PRO  
09/782390  
02/12/01



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: LaBrie et al.

Title: NOVEL HUMAN TUBBY HOMOLOG

Serial No.: To Be Assigned Filing Date:

Examiner: To Be Assigned Group Art Unit: To Be Assigned

---

Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 08/812,824, filed March 6, 1997, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner

and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**. **A duplicate copy of this communication is enclosed.**

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE GENOMICS, INC.

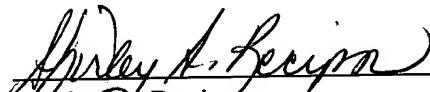


Richard C. Ekstrom

Reg. No. 37,027

Direct Dial Telephone: (650) 843-7352

Date: 12 February 2001



Shirley A. Recipon

Reg. No. 47,016

Direct Dial Telephone: (650) 621-8555

3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166

U.S. Department of Commerce, Patent and Trademark Office		Atty Docket No.	Serial No.
		PF-0232-1 DIV	To Be Assigned
LIST OF REFERENCES CITED BY APPLICANTS (Use several sheets if necessary)		Applicant LaBrie et al.	
		Filing Date	Group
		Herewith To Be Assigned	

## U.S. Patent Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

## Foreign Patent Documents

Translation

		Document	Date	Country	Class	Subclass	Yes	No
1		WO 97/02048	12 Jan. 1997	WO				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

2	Coleman, DL and Eicher, EM, "Fat (fat) and tubby (tub): two autosomal recessive mutations causing obesity syndromes in the mouse" <u>J Hered</u> 81(6):424-427 (1990)
3	Noben-Trauth, K et al., "A candidate gene for the mouse mutation tubby" <u>Letters to Nature</u> 380:534-538 (1996) (GI 1279766)
4	Kleyn, PW et al., "Identification and Characterization of the Mouse Obesity Gene tubby: A Member of a Novel Gene Family" <u>Cell</u> 85:281-290 (1996) (GI 1305497)
5	DATABASE EMBL - EMSTS, Entry HS615299, Acc. No. G17615, 7 March 1996, Myers, R.M.: "human STS SHGC-1217 clone pg-71"

Examiner Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.